

Corporate Benefits Over Human Rights

Case Study

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The problem

Company

Company X, a Georgian subsidiary of a British company, which produces manganese and ferroalloys.

Context

The company has been accused of violating labour and human rights in its mining operations in Chiatura, Georgia.

Problem statement

The case study highlights the adverse impacts on human rights and labour rights as well as environmental damage at the Chiatura mines.

The problem

Rightholders

The rights holders and at the same time stakeholders are the miners and residents of the mining location where Company X operates.

Human Rights Risks

Occupational health and safety risks further exacerbated by the long, 12-hour shifts, working over 15 consecutive days at night, with no days off or breaks.

Human Rights Risks

There are environmental risks - the contamination of local streams and wetlands.
Communication risks - which can lead to misunderstandings and disputes.

What can be done?

Conduct a human rights impact assessment

Across its value chain to identify and prioritize the human rights risks associated with its operations and supply chain.

Provide Human Rights Training

Should provide training to its employees, suppliers, and contractors on human rights issues and the company's commitment to respecting human rights.

What can be done?

Establish grievance mechanisms

Enable individuals and communities to raise concerns about human rights abuses associated with the company's operations.

Engage With Stakeholders

Engage with its stakeholders, including rights-holders (miners, local communities), civil society organizations, and human rights experts.

Solution

International procedures and mechanisms that could be used to address/challenge the company's behaviour and enhance the chance of the victims for remedy.

Georgia is not currently listed as having an OECD or OECD Guidelines.

Individuals can submit complaints about human rights violations by a state or a business.

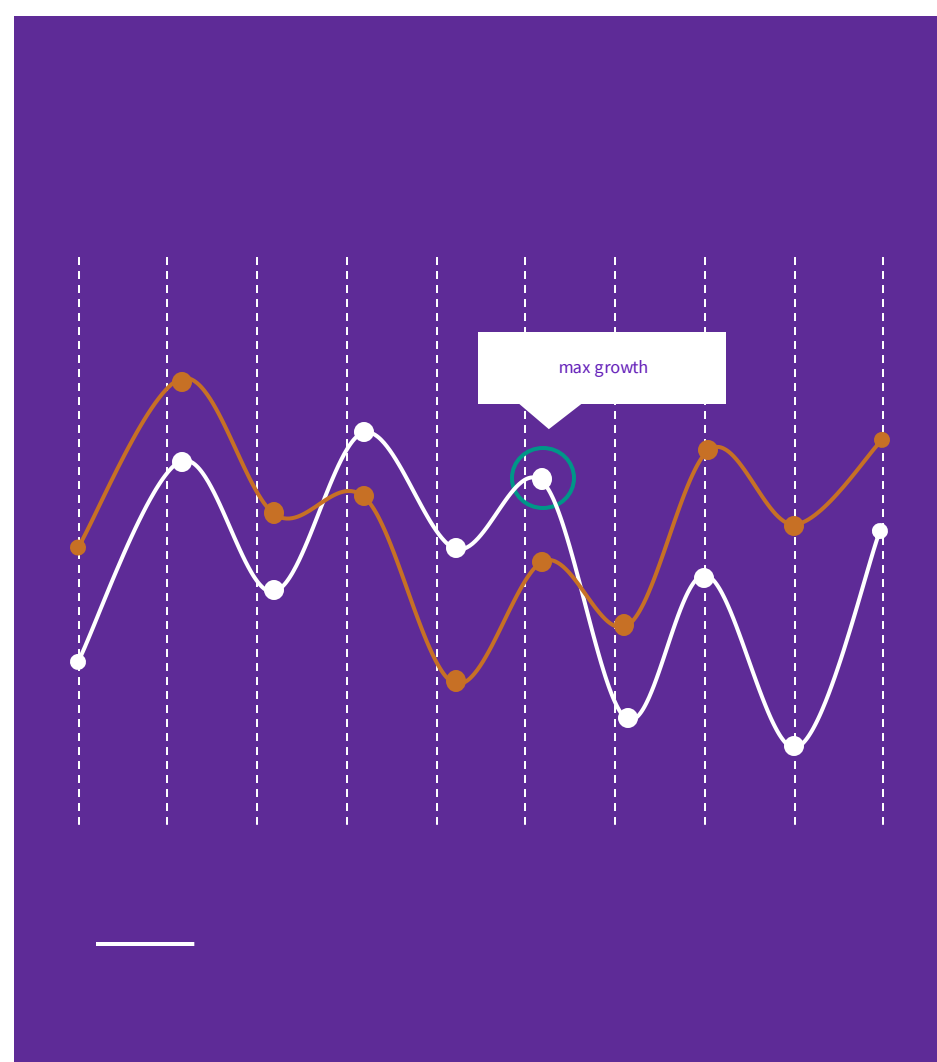
An individual/their legal representative must complete an application form and provide relevant evidence. In this case all domestic remedies have not been exhausted, this will not be possible yet



ILO has a complaints mechanism that allows individuals or groups to submit complaints

Committee on Economic, Social and Cultural Rights - Individuals or groups can submit complaints against states that have ratified the convention

Impacts And Conclusions



- The adverse impacts (incidents etc.) described in the case study, point to Georgia's much-needed labour reform, as after a decade of deregulation, labour rights' protection and government oversight had been dramatically reduced.
- Despite the changes introduced in the company, there is still a danger that the same adverse impacts or that other related harms will occur again.

